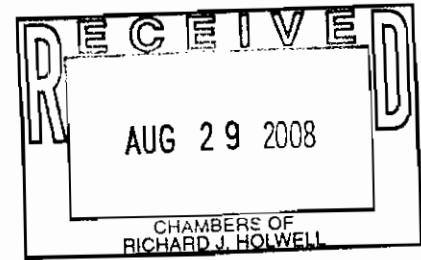


JEREMY GUTMAN
ATTORNEY AT LAW
251 EAST 61ST STREET
NEW YORK, NEW YORK 10065



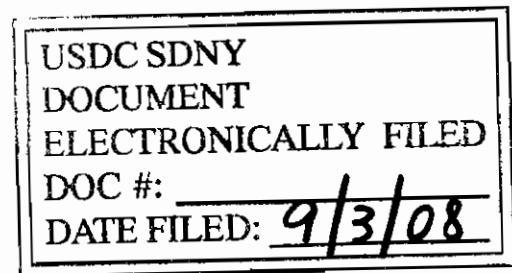
(212) 644-5200

FAX: (212) 486-7701
E-MAIL: JEREMYGUTM@AOL.COM

August 29, 2008

By Fax Number 212-805-7948

Hon. Richard J. Holwell
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007



Re: United States v. Suarez
07 Cr. 358 (RJH)

Dear Judge Holwell:

On behalf of my client, Elisa Suarez, as well as her co-defendants, Victor Viera and Veronica Suarez, whose attorneys have authorized me to write on their behalf, I am writing to apprise the Court of circumstances we believe warrant a brief adjournment of the sentencing of these three defendants, which is currently scheduled for September 4, 2008.

The defendants pleaded guilty pursuant to an agreement with the government that provided for entry of an order of forfeiture, for which the defendants would be jointly and severally liable, in the amount of \$80,549.00, and for an initial lump sum payment of \$50,000.00 within thirty days of the date of sentencing. As we informed Assistant United States Attorney Michael Maimin by telephone yesterday, because of unanticipated circumstances that have impacted their short-term finances, our clients expect it to take more than 30 days (approximately 90 days) for them to be able to make the contemplated payment of \$50,000. They are, however, able to make a payment of \$25,000.00 at this time, and, as a demonstration of good faith, are prepared to make that payment next week.

Hon. Richard J. Holwell
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In view of our clients' somewhat changed circumstances, however, we have requested that the government amend the plea agreement to provide for an altered schedule of payments consistent with the defendants' current expectations regarding their ability to pay. Mr. Maimin advised me that he will need to consult with his Office's Asset Forfeiture unit with regard to that request. Although Mr. Maimin indicated that he expects this issue to be resolved prior to sentencing, we believe that it is essential that our clients' obligations pursuant to the plea agreement be clear and formalized prior to the imposition of sentence. Doing so will not only keep them from being in a position that could be viewed as a breach of their agreements, but would avoid the possibility of issues arising after they have been sentenced that might require resolution by the Court. Accordingly, to ensure that the terms of the defendants' agreement with the government are clear prior to sentencing, all three counsel would request a brief adjournment of sentencing. Because I will be out of the country from September 8th to 19th, I would request that any adjournment be to a date following my return.

An adjournment with regard to Veronica Suarez, who is represented by Aaron Wallenstein, Esq., is also requested because Ms. Suarez has learned that, following two recent miscarriages, she is now pregnant. Mr. Wallenstein is currently in the process of gathering relevant medical information and documentation so that he can make a full and effective presentation to the Court regarding his client's conditions as it relates to the Court's exercise of its sentencing discretion.

For these reasons, we respectfully request that the Court grant a brief adjournment of sentencing to the week of September 22nd, or to any subsequent time convenient to the Court.

*Adjunctive Grant
Sentencing adjourned*

to 10/08/08, at 10:00AM

SO ORDERED

[Signature]

cc.: Michael Maimin, Esq. (By email, Michael.Maimin@usdoj.gov)

*USOJ
9/8/08*

Respectfully,

[Signature]

Jeremy Gutman
Attorney for Defendant
Elisa Suarez